

ANALYSIS

This ordinance amends Title 5 – Personnel of the Los Angeles County Code relating to

Fringe Benefits by:

- Amending portions of Sections 5.27.040, 5.27.240, 5.28.040 and 5.28.240 relating to cafeteria plan contributions for non-represented employees;
- Amending portions of Sections 5.27.350, 5.27.530, 5.28.350 relating to Non-Elective Annual Leave and Elective Annual Leave timing and usage;
- Amending 5.43.020 relating to tobacco user payment of fee for non-represented employees.

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By:


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HSM:av

Requested: 10-27-08

Revised: 11-24-08

ORDINANCE NO. _____

An ordinance amending Title 5 - Personnel of the Los Angeles County Code, relating to fringe benefits.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Section 5.27.040 is hereby amended to read as follows:

5.27.040 Contributions.

A. Nonelective Contributions. Except as otherwise provided herein, each month the County shall contribute to the Plan on behalf of each Participant an amount equal to the greater of ~~\$735.00~~ \$809.00 or 10 percent of such Participant's Compensation for the preceding month beginning the ~~2008~~ 2009 Plan Year; provided, however, that no Nonelective Contribution shall be contributed for any Participant if he has not been in a pay status for at least eight hours during the prior month. Nonelective Contributions shall be reflected in County payroll warrants issued on or about the fifteenth day of the month following the month in which the requisite pay status was completed.

...

SECTION 2. Section 5.27.240 is hereby amended to read as follows:

5.27.240 Contributions.

A. Nonelective Contributions.

1. Except as otherwise provided herein, each month the County shall contribute to the Plan on behalf of each Participant an amount equal to the greater of \$987.00 \$1,078.00 beginning the 2008 2009 Plan Year or the amount designated in subsection A1a or b below, whichever is applicable:

...

SECTION 3. Section 5.27.350 is hereby amended to read as follows:

5.27.350 Special provisions.

...

B. Timing and Order of Usage. Subject to the provisions of subsection A above, Nonelective Annual Leave may be taken at any time, and Elective Annual Leave may be taken at any time in the current Plan Year; provided, however, that a Participant must use all Nonelective Annual Leave days issued to the Participant on January 1 and all previously banked and available Nonelective Annual Leave, compensatory time off, vacation, holiday time, and if sick, sick leave, before the Participant can use any of the Elective Annual Leave days the Participant purchased for the year. ~~no Participant may use Elective Annual Leave until all Nonelective Annual Leave granted in the current Plan Year has been exhausted.~~ Nonelective Annual Leave and Elective Annual Leave may be used for any purpose approved by the Department Head.

...

SECTION 4. Section 5.27.530 is hereby amended to read as follows:

5.27.530 Limitations on Prior Benefits.

A. Vacation Benefits.

...

2. All vacation time earned and credited to the books up through and including the Vacation Ending Date shall remain available for use or payoff at termination of County service pursuant to the rules set forth in Chapter 6.18; provided, however, that (a) there shall be no limitations on the accrual and carryover of such time, and (b) such time shall not be used until a Participant has exhausted all of his ~~Nonelective Annual Leave and Elective Annual Leave.~~

...

SECTION 5. Section 5.28.040 is hereby amended to read as follows:

5.28.040 Contributions.

A. Nonelective Contributions. Except as otherwise provided herein, each month the County shall contribute to the Plan on behalf of each Participant an amount equal to the greater of ~~\$735.00~~ \$809.00 or 10 percent of such Participant's Compensation for the preceding month beginning the ~~2008~~ 2009 Plan Year; provided, however, that no Nonelective Contribution shall be contributed for any Participant if he has not been in a pay status for at least eight hours during the prior month. Nonelective Contributions shall be reflected in County payroll warrants issued on or about the fifteenth day of the month following the month in which the requisite pay status was completed.

...

SECTION 6. Section 5.28.240 is hereby amended to read as follows:

5.28.240 Contributions.

A. Nonelective Contributions.

1. Except as otherwise provided herein, each month the County shall contribute to the Plan on behalf of each Participant an amount equal to the greater of ~~\$987.00~~ \$1,078.00 beginning the ~~2008~~ 2009 Plan Year or the amount designated in subsection A1a or b below, whichever is applicable:

...

SECTION 7. Section 5.28.350 is hereby amended to read as follows:

5.28.350 Special provisions.

...

B. Timing and Order of Usage. Subject to the provisions of subsection A above, Nonelective Annual Leave may be taken at any time, and Elective Annual Leave may be taken at any time in the current Plan Year; provided, however, that a Participant must use all Nonelective Annual Leave days issued to the Participant on January 1 and all previously banked and available Nonelective Annual Leave, compensatory time off, vacation, holiday time, and if sick, sick leave, before the Participant can use any of the Elective Annual Leave days the Participant purchased for the year. ~~no Participant may use Elective Annual Leave until all Nonelective Annual Leave granted in the current Plan Year has been exhausted.~~ Nonelective Annual Leave and Elective Annual Leave may be used for any purpose approved by the Department Head.

...

SECTION 8. Section 5.43.020 is hereby amended to read as follows:

5.43.020 Payment of fee.

Any Participant who is a Tobacco User at any time during the 12-month period preceding his annual benefit election under the Plan shall pay the County a fee of ~~\$10.00~~ \$20.00 per month. Such fee shall be collected by payroll deduction and shall commence on the payday occurring on or about the fifteenth of January following said benefit election. In the case of a new Participant, such fee shall become payable on the first payday on which the Participant receives a County contribution to the Plan.

SECTION 9. Pursuant to Government Code Section 25123(f), this ordinance shall take effect immediately. If this ordinance becomes effective prior to December 1, 2008, the provisions of Sections 1, 2, 5, 6 shall be construed and applied as if they were effective and operative on and after December 1, 2008. The provisions of Sections 3, 4, and 7 shall be effective and operative on and after January 1, 2009.

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